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Political Events." As it stands this section is inadequate. There is no mention of the Cawley and Galt tariffs of 1858 and 1859, and none of the movement in and out of parliament for the right of the Dominion to make its own commercial treaties. The adoption of free trade in Great Britain in 1846, and the sweeping amendments to the old navigation code in 1847—both reforms made by Parliament at Westminster which added much to the political and economic freedom enjoyed first by the old British North American Provinces and later by the Dominion—are ignored; and so are the several liberalizing amendments to the constitution of the United Provinces of 1840 which were made at Westminster between 1848 and 1860.

The conception of Mr. Audet's book is excellent. It is so good, and the book is so obviously serviceable, that it ought to be classed as a public utility, and with the church section omitted, to be published from time to time as a government handbook, much in the same way that the *Canada Year Book* is issued as a departmental publication.

EDWARD PORRITT.

HARTFORD, CONNECTICUT.

A Short History of Japan. By ERNEST WILSON CLEMENT. Chicago, University of Chicago Press, 1915.—x, 190 pp.

Japanese Government Documents, 1867-1889. Edited by W. W. McLAREN. Tokyo, Asiatic Society of Japan, 1914.—ci, 681 pp.

A Political History of Japan during the Meiji Era, 1867-1912. By WALTER WALLACE McLAREN. New York, Charles Scribner's Sons, 1916.—380 pp.

Mr. Clement has enlarged the list of his contributions to knowledge about the Island Empire by an historical sketch that ranges from the "divine ages" to the end of the Meiji era in 1912. Somewhat less than half the material deals with the period before the establishment of the Tokugawa shogunate in 1603. Most of this is of scant interest to the average reader, for whom the book is intended, and could have been shortened to advantage. About one-fourth of the text relates to the period since 1867. An appendix describes the physiography and political divisions of the country, and furnishes lists of emperors and empresses, shoguns, regents and year-periods.

Though a somewhat loose compilation from easily accessible works in English, the book is a readable introduction to the subject. At times, also, the author has given interpretations of his own to the

"historical and other events," with a view to indicating their significance for the evolution of Japan. Some of them impress the reviewer as venturesome, if not misleading. To characterize the course of development from prehistoric ages to the year 794 as "imperialistic" and to apply the terms "cosmopolitanism" and "continentalism" to the periods 1899-1910 and 1910-1912, respectively, carry "interpretations" considerably beyond the point where they can readily be accepted.

The *Japanese Government Documents*, forming volume xlii, part i, of the *Transactions of the Asiatic Society of Japan*, constitute an extremely valuable collection of material for the political history of that country from 1867 to 1890. Drawn chiefly from official sources, and edited by Dr. McLaren while professor of political science at the Keio University in Tokyo, they bring together for the use of occidental students a great variety of data which hitherto have been locked away in the Japanese language or available only in the files of the *Japan Weekly Mail* and other periodical publications.

The collection is prefaced by an historical essay which affords a clear and instructive survey of the momentous events that made away with the old and set up the new régime. On the latter of these phases of Japanese politics attention is directly concentrated. The order in which the documents are presented is chronological, and the object is to show how the feudal system was replaced by the organization of central and local government and to indicate the extent to which popular representation therein was allowed to exercise power. As between the executive and legislative branches, the amount of space allotted is about equal. In addition to the material bearing upon the actual organization of legislative bodies, not a little is included so as to single out the efforts made to secure genuine popular representation and the restraints imposed by the government on tendencies of the sort. An appendix contains the "Law of the Constitution of the Courts of Justice" and the regulations for carrying it into effect, and a variety of miscellaneous documents, all relevant to the subject in hand and not available for insertion elsewhere. Numerous explanations and cross references in footnotes, also, facilitate the task of the reader.

As a means of insuring a wide use in western countries for so unique and serviceable a publication, arrangements should be made to have an edition of it printed in the United States or in England. Along with it a companion volume might well be issued, covering the period up to the outbreak of the present war, and marking the successive steps by which Japan won its recognition as a great power.

The first half of Dr. McLaren's formal work on the political history of modern Japan is little more than an enlargement of his introductory essay in the *Japanese Government Documents*, and contains numerous references to the latter. The second part goes over much the same ground as Uyehara's *Political Development of Japan, 1867-1909*. It should be read in connection with that treatise, so as to secure a different angle of vision. In what this divergence of viewpoint chiefly consists is manifest from the object avowed by Dr. McLaren in his preface. After alluding in terms of more than implied criticism to the conduct of Japan since 1914, and with particular reference to China, he states that he has "endeavored to supply the information which is essential to the formation of accurate judgments as to the meaning of Japanese policy by reviewing her modern political history, describing her system of government, and explaining her national ambitions." Regarding the first of the three methods of exposition, it may be said that the author has supplied a readable and scholarly account of the process by which the country underwent transformation during the rule of the Meiji emperor. But when he makes use of the two succeeding methods he relies rather too much on journalistic sources of information gushing forth in partisan utterances favorable to his own viewpoint. By so doing he is apt to convince the reader that what has been offered is less a description or an explanation than a denunciation of the vices in Japanese public life and above all of the "intense chauvinism of the race, *especially of the ruling military caste*."

Given Dr. McLaren's associations with a private educational institution maintaining a certain amount of rivalry with the government university, it is not surprising that he displays an attitude of dislike for the bureaucratic and oligarchic elements in official and unofficial station. His animus, indeed, is not entirely supported by the evidence he furnishes, and might be attenuated considerably if he had admitted to his pages testimony to the advantage of the elder statesmen and their adherents. The picture he draws, notably in the last chapter, of Japanese autocracy, venality and jingoism is neither pleasant nor reassuring. Yet it could hardly be expected that in the brief period of a scant half-century a political transition so tremendous in its consequences as the one which began substantially in 1867 could have been accomplished without serious defects. Men long accustomed to wield power would not easily relinquish it. The classes hitherto excluded from public affairs could not be brought into active participation in them without some risk that measures of

corruption would be applied to both legislators and voters. Nor would the two social and political elements be likely, in the face of obviously pressing temptation, to refrain from following eagerly in the footsteps of "manifest destiny" laid down long since by the imperialistic nations of Europe in the "unoccupied" regions of the Far East.

WILLIAM R. SHEPHERD.

Due Process of Law and the Equal Protection of the Laws.

By HANNIS TAYLOR. Chicago, Callaghan and Company, 1917.—xxxviii, 988 pp.

The author's description of the method which he has followed in preparing this "treatise" is that, after outlining the evolution of the concept of due process, "he has then applied the analytical method to the mass of decided cases upon the Fifth and Fourteenth Amendments in such a way as to extract from them the working rules required by the practising lawyer in dealing with the various divisions and subdivisions of the subject" (page xvii). His application of this analytical method calls to mind the opening paragraph of a review of another law book which seems to have been constructed in similar fashion. Writing in the *Harvard Law Review* (volume 30, page 300), Professor Chafee of the Harvard Law School says :

If law is a science, law books ought to be written like treatises in other sciences—economics, politics, education—and not like the *magnum opus* of the clergyman in *The Way of all Flesh* : "After breakfast he retires to his study ; he cuts little bits out of the Bible and gums them with exquisite neatness by the side of other little bits." We have a similar atomic theory of law books, except that the atom instead of being a Scriptural verse is the head-note. Headnotes arranged vertically make a digest. Headnotes arranged horizontally make a textbook. Textbooks arranged alphabetically make an encyclopedia. Every few years some investigator has to disintegrate one of these works into its constituent atoms, add some more headnotes from recent decisions, stir well, and give us the latest book on the subject. And so law libraries grow.

This in the main describes Dr. Taylor's book, except that in a number of chapters the atoms have not been well stirred. In three of the four chapters of part i on "Due Process as a Limitation on Federal Power" the cases are presented chronologically, and the section headings consist of the title of the case and the subject which it involves. This arrangement results for example in such a sequence as the following :